FORM 1

UNITED STATES COURT OF INTERNATIONAL TRADE

ALPINESTARS S.P.A. Plaintiff, v. UNITED STATES, Defendant.	Court No. 09-00517 **SUMMONS**

TO: The Attorney General and the Secretary of Homeland Security:

PLEASE TAKE NOTICE that a civil action has been commenced pursuant to 28 U.S.C. §1581(a) to contest denial of the protest specified below (and the protests listed in the attached schedule).

TINA POTUTO KIMBLE, CLERK OF THE COURT

PROTEST

Port of Entry: Chicago, IL	Date Protest Filed: 06/10/09
Protest Number: 3901-09-100838	Date Protest Denied: 06/24/09
Importer: ALPINESTARS S.P.A.	
Category of Merchandise: Wearing Apparel	

ENTRIES INVOLVED IN ABOVE PROTEST

Entry Number	Date of Entry	Date of Liquidation	Entry Number	Date of Entry	Date of Liquidation
804-2029091-0	01/28/08	12/12/08			

Port Director,

U.S. Bureau of Customs & Border Protection
9915 Bryn Mawr
Rosemont, IL 60018

Address of Customs Port in Which Protest Was Denied

Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt LLP

399 Park Avenue, 25th Floor
New York, New York 10022
212/557-4000

Name, Address and Telephone Number of Plaintiff's Attorney

418293

CONTESTED ADMINISTRATIVE DECISION

Appraised Value of Merchandise		
	Statutory Basis	Statement of Value
Appraised:	Transaction Value 19 USC 1401 a(b)	DDP value
Protest Claim:	Transaction Value 19 USC 1401 a(b)	Price paid or payable plus assists

Classification, Rate or Amount				
	Assessed		Protest Claim	
Merchandise	Paragraph or Item Number	Rate	Paragraph or Item Number	Rate
Gloves	**HTSUS** 6216.00.5820	10.4 % ad	**HTSUS** 6216.00.4600	2.8 % ad val.

Other

State specifically the Decision [as Described in 19 U.S.C.§1514(a)] and the Protest Claim: Whether the merchandise should be appraised at the prices paid or payable to the seller, plus assists; and whether the imported merchandise is specifically provided for under the claimed tariff provisions.

The issue which was common to all such denied protests: Tariff classification (gloves) and appraisement (transaction value calculation)

Every denied protest included in this civil action was filed by the same above-named importer, or by an authorized person in his behalf. The category of merchandise specified above was involved in each entry of merchandise included in every such denied protest. The issue or issues stated above were common to all such denied protests. All such protests were filed and denied as prescribed by law. All liquidated duties, charges or exactions have been paid, and were paid at the port of entry unless otherwise shown.

Date: 12/9/2009 /s/ Robert F. Seely